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ANTIQUITIES ACT PERMITS  
a handbook for applicants

**FOR REFERENCE**

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U. S. Department of the Interior  
Bureau of Land Management

Alaska State Office

REF  
KF  
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### Steps For Obtaining An Antiquities Act Permit In Alaska

1. Obtain a permit application form from the State Director, Bureau of Land Management, 555 Cordova Street, Pouch 7-512, Anchorage, Alaska 99510.
2. Fill in the name of the institution that proposes a project that will affect cultural resources on public lands. Do not use an individual's name.
3. Complete all items on the form according to instructions in this handbook.
4. Send four copies of the completed application form, with any required accompanying information, to the Departmental Consulting Archeologist (DCA), Office of Archeology and Historic Preservation, Heritage Conservation and Recreation Service, Interagency Archeological Services Division, Washington, D.C. 20240.
5. At the same time, send a copy of the application form and accompanying information to the State Director, Bureau of Land Management, 555 Cordova Street, Pouch 7-512, Anchorage, Alaska 99510.
6. The application is reviewed by the Smithsonian Institution, the Office of the DCA, the BLM, and, at the discretion of the DCA, other professionals outside the government.
7. The DCA issues the permit with special BLM stipulations attached, or the DCA denies the permit.

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AS A FEDERAL LAND-MANAGING AGENCY, THE BUREAU OF LAND MANAGEMENT (BLM) is responsible for furthering the aim of the Antiquities Act of 1906 to protect cultural resources on lands managed by BLM, hereinafter called public lands. The BLM policy in Alaska for Antiquities Act permits issued under the Act is stated and explained in this handbook. In outlining the procedure for obtaining permits, we hope to make the permitting process understandable and easy for applicants to follow.

#### WHO MUST APPLY FOR AN ANTIQUITIES ACT PERMIT

A public, scientific, or educational institution that proposes to locate, examine, or excavate cultural resources on public lands must have authorization in the form of an Antiquities Act permit. A permit is necessary whether or not cultural resources are to be collected.

BLM personnel concerned with cultural resources management or personnel under contract to BLM for cultural resource work do not need an Antiquities Act permit. Permits are not issued to individuals or in individuals' names.

#### THE PERMIT PROCEDURE

Applications for Antiquities Act permits should be sent to the Departmental

Consulting Archeologist (DCA), Office of Archeology and Historic Preservation, Heritage Conservation and Recreation Service, Washington, D. C. 20240. The DCA, as representative of the Secretary of the Interior, distributes applications he receives to the appropriate Federal land-managing agencies for review and recommendations. After considering the agencies' recommendations, the DCA grants or denies the Antiquities Act permit to the applying institution.

The Bureau of Land Management is responsible for analyzing, field checking, and processing permit applications on lands under its jurisdiction. The BLM may attach stipulations to the permit to ensure wise use of cultural and other resources. After the permit is issued, the BLM monitors the project in the field to make sure that the permittee complies with the permit stipulations.

## TWO TYPES OF ANTIQUITIES ACT PERMITS

### Consultation Services Permits

Consultation services permits are issued to academic and scientific institutions, cultural resource consultation firms, and other qualified institutions to conduct professional cultural resource investigations on public lands for government agencies and private land users. These consulting services are often needed for field examinations to determine presence or absence of cultural resources in areas of proposed land use.

Consultation services permits provide users of public lands with timely access to professional services. Since the BLM in Alaska generally issues these permits on a statewide basis, separate Antiquities permits are not needed for each project requiring cultural resource investigation. Moreover, since they are issued on a yearly basis, they reduce the need for last-minute "emergency" permits.

Permits authorizing consulting service activities on public land do not constitute blanket authority to conduct academic research projects. Consultation services permits are issued only to organizations with local staffs and facilities which can provide consultation to public land users on a day-to-day basis. Permits are not issued to organizations which intend to use the resulting contract opportunities primarily to train unskilled students or staff. This does not mean that materials and data cannot be used for teaching purposes after they have been recovered and analyzed.

### Research Permits

Research permits are issued to qualified educational and scientific institutions to conduct cultural resource research on public lands. A separate permit is required for each distinct research project under-



taken by an institution. A definite research design, or, at a minimum, a thorough outline of work to be done is necessary.

#### HOW TO COMPLETE AN ANTIQUITIES ACT PERMIT APPLICATION

In processing Antiquities Act permit applications, the BLM staff must evaluate the following considerations:

1. The effect the proposed undertaking will have on BLM-administered cultural resource properties.
2. The effect the proposed undertaking will have on other natural resources, such as flora, fauna, watercourses, and soils.
3. Potential conflicts between the proposed undertaking and BLM projects or other authorized projects.
4. Names of persons and/or agencies that are responsible for conduct of the proposed undertaking.

The permit application form is designed to obtain this information. A sample form is printed on the following two pages. Each item is explained below. The paragraph numbers match the item numbers on the application form.

1. Name of Institution. Identify fully the name of the institution requesting the permit. Unless otherwise stated in the application, the institution named in Item 1 assumes full responsibility for the conduct of the investigation, compliance with BLM stipulations, completion of reports, and curation of all materials resulting from the permitted project. Unless otherwise provided for, institutional responsibilities for total Antiquities Act permit compliance reside in the official named in Item 14.

2. Date of Application. Enter the date the application is signed by the institution official (Item 14).

3. Address. Enter the full mailing address, including the ZIP code number, of the requesting institution. Where appropriate, identify the particular office, department, or research unit of the institution which will conduct the proposed activity. If the field investigations are to be conducted by an organization affiliated with a qualified institution, the address of that organization must also be included if it is not the same as the applying institution.

4. Nature, Status, and Scientific Affiliations of Applicant. Identify whether the institution is a public or private school, museum, research foundation, etc. Identify all other institutions significantly involved with the project. Significant involvement includes any relationship with the requesting institution which may directly affect its capacity

**APPLICATION FOR PERMIT  
UNDER THE ANTIQUITIES ACT**

(P.L. 59-209 (34 Stat. 225; 16 U.S.C. 431-433))

**FOR OFFICIAL USE ONLY**

DATE RECEIVED	_____
DISPOSITION	_____
DATE	_____

**INSTRUCTIONS:** Application must be signed by director or other responsible official (Item 14) of the applicant institution (Item 1) other than the person named in direct charge of field work (Item 8B). All information requested must be completed before application will be considered. Use separate sheet of paper if more space is needed to complete a section.

1. NAME OF INSTITUTION	2. DATE OF APPLICATION
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3. ADDRESS (Include Zip Code)

4. NATURE, STATUS, AND SCIENTIFIC AFFILIATIONS OF APPLICANT ORGANIZATION:

5. TYPE OF PERMIT REQUESTED:

- A. ☐ To conduct preliminary explorations in areas described in 6A and 6B below.
- B. ☐ To excavate, collect, and make intensive studies of specific sites described as:

6. LANDS OF THE UNITED STATES FOR WHICH PERMIT IS REQUESTED:

- A. Description: (If on surveyed lands, descriptions must be by subdivisions of the Public Land Surveys. If on unsurveyed lands, description must be by metes and bounds with ties to some topographic feature.)

- B. Map, sketch, or plan, showing specific sites or areas for which permit is desired. (Use separate sheet, if necessary, and attach to each copy of application submitted.)

7. AIMS, PURPOSES, AND EXACT CHARACTER OF WORK PROPOSED:

8. NAME, ADDRESS, AND OFFICIAL STATUS OF PERSONS IN "A" AND "B" BELOW: (Name a DIFFERENT person for each.)

A. In general charge of project:

B. In direct charge of field work: (Include qualifications.)

9. DATE FIELD WORK WILL BEGIN:

10. LENGTH OF TIME WORK WILL BE IN PROGRESS:

11. PUBLIC MUSEUM IN WHICH MATERIALS COLLECTED WILL BE PERMANENTLY PRESERVED AND AVAILABLE FOR SCIENTIFIC STUDY AND PUBLIC OBSERVATION: (Name and Location)

12. RESULTS OF WORK DONE TO BE PUBLISHED AS FOLLOWS: (Name of publication and date of issuance.)

13. FUNDS AVAILABLE FOR FIELD WORK, EXCLUSIVE OF REGULAR STAFF SALARIES:

\$

14. INSTITUTION OFFICIAL REQUESTING PERMIT: (MUST BE SIGNED)

(Signature)

(Title)

15. COMPLETE FOUR (4) COPIES OF THIS APPLICATION AND RETURN TO:

to meet permit obligations, exclusive of funding (for example, use of another institution's personnel as supervisors, use of field or laboratory facilities or personnel, and use of report preparation facilities or staff).

5. Type of Permit Requested. Since 1975, most research activities on public land in Alaska have been preliminary explorations involving light testing and collecting, rather than large-scale excavation. In such cases, check sub-item "A." When intensive surface collecting, heavy subsurface testing, and excavation are needed, check sub-item "B." When an application is prepared for a consultation services permit, a typed entry "Professional Service" (sub-item "C") should be made. Detailed explanation of the exact character of research activities or consultation services is to be made in Item 7 of the application.

6. Lands of the United States for Which Permit is Requested.

A. Description. If project is to take place on surveyed lands, descriptions must be by subdivisions of the Public Land Surveys. If on unsurveyed lands, descriptions must be by metes and bounds, with reference to the official protraction rectangle system.

B. Additional Information. Include a map, sketch, or plan showing specific sites or areas for which the permit is desired.

The description of lands and maps must be sufficiently detailed to identify clearly the site or area of proposed field work. Use of USGS 7.5-minute or 15-minute topographic maps or their equivalent is recommended. Problems related to identifying land ownership and legal descriptions of lands often can be resolved in discussion with local BLM personnel. Such consultation should take place before the application is submitted for formal review. At this time BLM personnel might provide information as to land status of the proposed investigation, and indicate a need for concurrence from Native Corporations or other entities upon whose land the investigation is occurring. At the same time BLM can suggest the names of knowledgeable local persons who can answer questions about logistics and other concerns.

7. Aims, Purposes, and Exact Character of Work Proposed.

A. Each application for a research permit should include the following specific information. (Attach additional pages if necessary.)

1) A precise statement of research objectives, general problem orientation, specific project goals, and hypotheses.

2) A statement of environmental, archeological, and relevant ethnohistoric or ethnographic context of the project area.



3) A description of the nature and extent of field methods. Where excavation, subsurface testing, or other surface-disturbing activities are planned, include a brief program for reclamation, backfilling, or stabilization of disturbed ground areas and exposed ruins or objects of scientific interest.

4) A description of the analytical procedures and their relevance to the aims and purposes of the project.

B. An application for a permit to offer professional consultation services should include the following. (Attach additional pages if necessary.)

1) Identification of the types of professional services to be offered (archeological, paleontological, etc.).

2) Description of the qualifications of the institution's staff and the laboratory facilities to be used, as they relate to each of the professional services identified.

8. Name, Address, and Official Status of Persons in Charge. In this item, specific responsibilities for field work, report preparation, and compliance with other permit obligation may be distinguished.

A. Enter the name, address, and official status of the person in general charge of the project.

B. Enter the name, address, official status, and qualifications of the person(s) in direct charge of field work. Avoid listing the same individual as being in general charge of the project and in direct charge of the field work. If the same individual must be listed for both, explain on a separate sheet and attach a copy to each copy of the application.

9. Date Field Work Will Begin. The estimated date for the beginning of field work must allow for the time for processing the permit application. Failure to begin work under a permit within six months after issuance will render the permit void.

10. Length of Time Work Will Be in Progress. Permits are usually granted for a period of one year; with adequate justification a permit may be issued for as many as three years. If the work has been diligently prosecuted, the time may be extended upon application. Each research permit must include a reasonable estimate of the time needed to complete the project.

11. Public Museum in which Materials collected Will Be Permanently Preserved and Available for Scientific Study and Public Observation. Enter names and addresses of all museums which will share the collections resulting from the proposed project.

Applicants should not enter the name of a museum without first obtaining the museum's approval for receiving and accessioning collections.

12. Results of Work Done to be Published. In this item the form and schedule are stated for final reports of work proposed under the permit. This entry should be as specific as possible. If the work will result in a thesis or dissertation, estimate the semester during which the final document will be completed. If a series of articles is anticipated, indicate when all reports will be completed and sent to BLM.

Provisions must be made to publish work done under consultation service permits as well as under research permits. These reports may be technical papers for each project. Reports for small projects may be combined for more comprehensive analysis. Mitigation objectives are not fully met until the results of field work are made available to the public. A detailed time schedule for final reports cannot usually be estimated for consultation services permits in the application. Such reports must be submitted to the BLM on a case-by-case basis.

13. Funds Available for Field Work, Exclusive of Regular Staff Salaries. Identify each source of funds available for the proposed project by name and address. State if the project is contingent upon funds not yet received or committed. In the case of consultation services permits, where funds depend on future contract arrangements, identify any institutional funds available in addition to contract fees.

14. Institution Official Requesting Permit. The official signing Item 14 must hold a position within the applying institution whereby he can assume responsibility for the institution's obligations under the requested permit. This item must be signed by a responsible institutional official other than individuals listed in Item 8B (that is, museum director, department head, college dean, etc.).

#### APPLICATION REVIEW

Send four copies of the applications for Antiquities Permits to the following address:

Departmental Consulting Archeologist  
Department of the Interior  
Heritage Conservation and Recreation Service  
Interagency Archeological Services Division  
Washington, D.C. 20240.

In order to save processing time, send a copy of the permit application to:

State Director  
Bureau of Land Management  
555 Cordova Street, Pouch 7-512  
Anchorage, Alaska 99510

In addition, a copy should also be sent to any other agency upon whose land the proposed activity will take place.

BLM specialists must have the application for review at least 10 weeks before the intended starting date of field work.

Review of the permit application will focus on the adequacy of the research design, the capacity of the institution to fulfill its commitments under the permit, possible conflicts with other land users or with BLM management objectives. An environmental analysis report (EAR) will be prepared by the BLM for each application for research projects. As required by the National Environmental Policy Act of 1969, the positive and negative effects of the proposed project will be identified. All projects which would affect properties of National Register quality require BLM consultation with the Advisory Council on Historic Preservation before final approval. This consultation is accomplished as provided for in 36 CFR 800 (Advisory Council on Historic Preservation Procedures for the Protection of Historic and Cultural Properties).

In the review process concerns often are identified that require actions by the applicant beyond those addressed in the application. These actions are added to the permit as stipulations.

It is recommended that before the application is submitted, contact be made with the BLM District Office which manages the project lands. Early contact with BLM personnel may resolve conflicts which otherwise would delay permit issuance. Names and addresses of District Offices appear with a map on the back cover of this handbook. If the BLM Alaska staff recommends that the application be approved, it is sent to the Director, Bureau of Land Management, Washington, D.C. for further processing.

Applications not recommended for approval are returned to the applicant with a statement of why the recommendation is denied.

#### PERMIT STIPULATIONS

Stipulations are standardized to insure equal consideration for all permittees. Additional stipulations may be added to deal with special problems or conditions. Stipulations for research projects usually are based on concerns centered around the compatibility of the project with other land uses, the professional or scientific quality of the investigation, and keeping damage to cultural and natural resources in the project



area within limits justified by the gain in scientific knowledge resulting from the project.

## REPORTS

In addition to the preliminary reports required in Item 9 of the Antiquities Act permit, antiquities permits for public lands include preliminary report obligations as BLM stipulations. These reports can be the same document, with the appropriate number of copies being submitted to the Smithsonian Institution and the DCA, Department of the Interior, and to the Bureau of Land Management-Alaska. The applicant is obligated to submit a final report in Item 12 of the Antiquities Permit application.

1. Research Permits. The following information, at a minimum, must be submitted to the appropriate BLM district manager as part of a preliminary, progress, or final report within 90 days of the end of each field season.

a. Identification of the Antiquities Act permit under which the work was performed.

b. The names of individuals participating under the permit and beginning and ending dates of investigations.

c. Discussion of research design; field methods; intensity of survey, collection, testing, or excavation, as applicable; and description of the area examined, with location indicated on USGS topographic maps.

d. Statement of actual accomplishments and results of study.

e. Description and evaluation of cultural resources identified, including their contribution to understanding cultural resource problems of the study area. As applicable, discuss relationships of properties investigated to others known to be in the area or region, and the possibility of unlocated cultural resources in the study area. Identify properties in the National Register of Historic Places or which may be eligible for inclusion in it.

f. A completed Cultural Resource Inventory form (BLM 8110-1 to 8110-5) or other form approved by the BLM district manager, for each property found. Include 7.5-minute USGS topographic maps or equivalent, with the location of each site marked on them.

g. A catalog of all objects collected and their disposition. Include accession and/or catalog numbers.

2. Consultation Service Permits. Results of each field operation conducted under these permits must be reported to the appropriate BLM district manager within 30 days after each project is completed. Reports

submitted should include the following information, at a minimum:

- a. Identification of the Antiquities Act permit under which the field work was performed.
- b. Description of the proposed land use action for which the survey is being done (including BLM case file reference numbers, if applicable).
- c. Description of survey methods and intensity of survey; description of the area surveyed; names of project individuals working under the permit; and beginning and ending dates of field work.
- d. Statement of what was accomplished in the study. Discuss the possibility of unlocated cultural resources in the project area.
- e. Description and evaluation of identified cultural resources, including their potential for contributing to the understanding of cultural resource problems of the study area. Include maps showing the location of cultural resource sites relative to the project area. Identify sites which are in the National Register of Historic Places or which may be eligible for inclusion in it.
- f. A completed Cultural Resource Inventory form (BLM forms, National Register forms, Alaska Heritage Resource Survey forms, or other forms approved by the BLM district manager) for each cultural resource property found. Include 7.5-minute USGS topographic map or equivalent indicating the location of each site.
- g. A catalog of all objects collected and their disposition, including accession and/or catalog numbers.
- h. Evaluation of the impact of the proposed action on cultural resources. Discuss ways to alter plans to avoid affecting cultural resources. Discuss alternative mitigation measures, including a recommended program of study to realistically mitigate direct and indirect adverse effects on cultural resources which may result from the project. Outline possible research designs. When the only feasible alternative for mitigation is excavation, discuss the reasons it cannot be avoided.
- i. Documentation of pertinent consultation and coordination, if any (i.e., with client, BLM, State Historic Preservation Office, Advisory Council, data sources, etc.).

#### TERMINATION OF ANTIQUITIES PERMITS

All permits may be terminated at the discretion of the Secretary of the Interior. The BLM in Alaska will recommend the revocation of a permit

when the permitted institution fails to comply with the provisions of the permit. Actual work performed will be compared with the project description in the permit application. When the actual work is significantly different from what was proposed, the BLM will first ask to have the institution amend the permit application. If this is not done, the BLM will direct that work be stopped and the permit terminated. No permit may be used for a purpose other than that for which it was issued.

Compliance will also be judged with respect to stipulations placed on the permit. Failure to comply fully with stipulations will be grounds for the BLM-Alaska to recommend termination of a permit, and for rejecting subsequent antiquities permit applications by that permittee.

Consultation services permits are issued on the presumption that experienced, qualified personnel will direct all phases of the permitted program which affect the identification of cultural resources, the determination of their significance, and the development of research designs for mitigation of impacts. The use of unskilled personnel in positions affecting such phases of work or unreliable and unprofessional behavior by members of the institution working under a consultation services permit will be considered grounds for requesting the permit be terminated.



CHAP. 3060.—An Act For the preservation of American antiquities.

June 8, 1906.  
[S. 4698.]

[Public, No. 209.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That any person who shall appropriate, excavate, injure, or destroy any historic or prehistoric ruin or monument, or any object of antiquity, situated on lands owned or controlled by the Government of the United States, without the permission of the Secretary of the Department of the Government having jurisdiction over the lands on which said antiquities are situated, shall, upon conviction, be fined in a sum of not more than five hundred dollars or be imprisoned for a period of not more than ninety days, or shall suffer both fine and imprisonment, in the discretion of the court.

American antiquities.  
Penalty for unauthorized excavations, etc.

SEC. 2. That the President of the United States is hereby authorized, in his discretion, to declare by public proclamation historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest that are situated upon the lands owned or controlled by the Government of the United States to be national monuments, and may reserve as a part thereof parcels of land, the limits of which in all cases shall be confined to the smallest area compatible with the proper care and management of the objects to be protected: *Provided*, That when such objects are situated upon a tract covered by a bona fide unperfected claim or held in private ownership, the tract, or so much thereof as may be necessary for the proper care and management of the object, may be relinquished to the Government, and the Secretary of the Interior is hereby authorized to accept the relinquishment of such tracts in behalf of the Government of the United States.

Setting apart of historic, etc., public lands.

*Proviso.*  
Relinquishment of private claims.

SEC. 3. That permits for the examination of ruins, the excavation of archaeological sites, and the gathering of objects of antiquity upon the lands under their respective jurisdictions may be granted by the Secretaries of the Interior, Agriculture, and War to institutions which they may deem properly qualified to conduct such examination, excavation, or gathering, subject to such rules and regulations as they may prescribe: *Provided*, That the examinations, excavations, and gatherings are undertaken for the benefit of reputable museums, universities, colleges, or other recognized scientific or educational institutions, with a view to increasing the knowledge of such objects, and that the gatherings shall be made for permanent preservation in public museums.

Permits for excavations, etc.

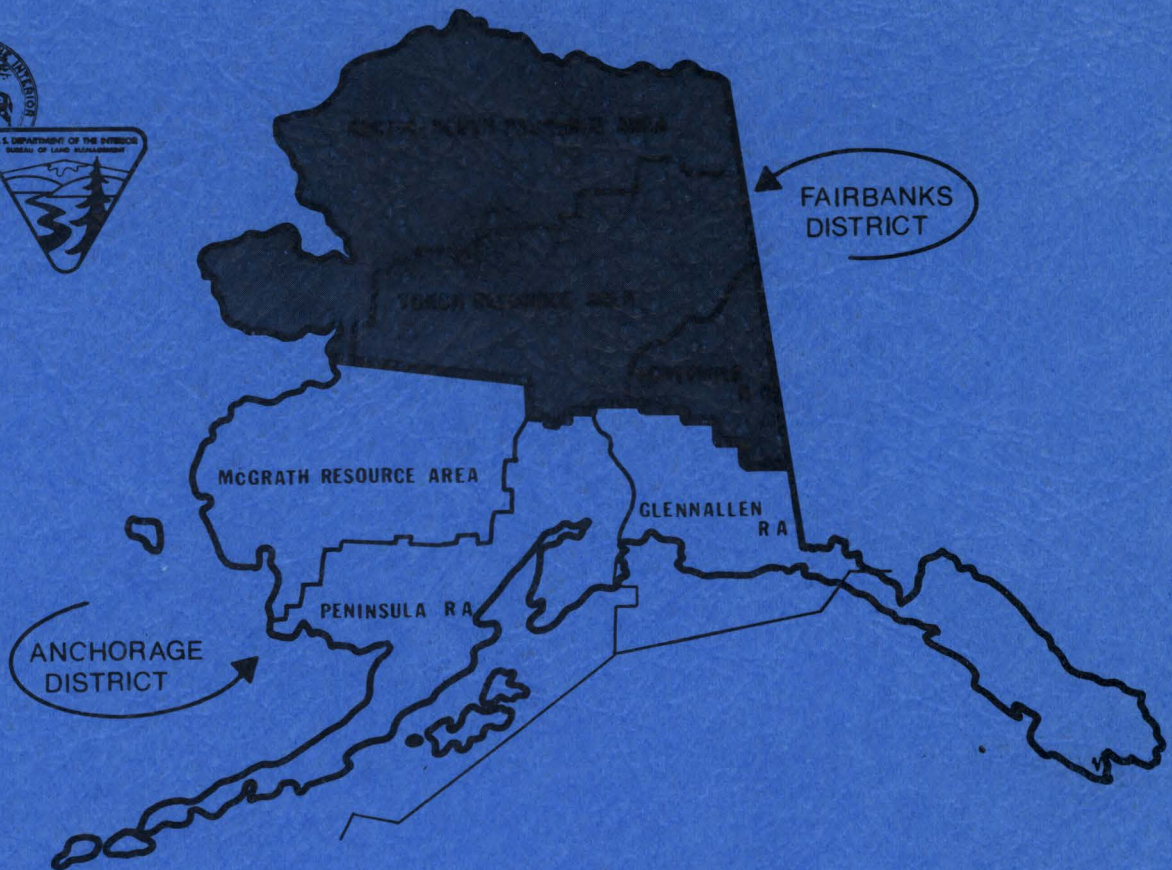
*Proviso.*  
Preservation in museums.

SEC. 4. That the Secretaries of the Departments aforesaid shall make and publish from time to time uniform rules and regulations for the purpose of carrying out the provisions of this Act.

Regulations.

Approved, June 8, 1906.





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Anchorage, Alaska 99501  
Curtis V. McVee  
State Director

Fairbanks District Office  
1028 Aurora Drive  
Fairbanks, Alaska 99701  
Carl D. Johnson  
District Manager

Anchorage District Office  
4700 E. 72nd Avenue  
Anchorage, Alaska 99507  
Richard W. Tindall  
District Manager

Arctic-Kobuk Resource Area  
Fairbanks District Office

McGrath Resource Area  
Anchorage District Office

Yukon Resource Area  
Fairbanks District Office

Peninsula Resource Area  
Anchorage District Office

Fortymile Resource Area  
P.O. Box 307  
Tok, Alaska 99588

Glennallen Resource Area  
P.O. Box 147  
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